



JUDICIAL COUNCIL OF  
CALIFORNIA  
ADMINISTRATIVE OFFICE  
OF THE COURTS  
Public Information Office  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688  
[www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)

415-865-7740

Lynn Holton  
Public Information Officer

# NEWS RELEASE

Release Number: 53

Release Date: **September 10, 2005**

## **Chief Justice Urges Courts and Public to Maintain Independence of Judiciary**

### ***Public Has Vital Interest in Preserving Rule of Law, State's Top Jurist Notes in Annual Address***

San Diego, Sept. 10—Underscoring the importance of the independence of the judiciary, California Chief Justice Ronald M. George today declared that “all those involved in the administration of justice should ensure that the judicial branch remains able to maintain its proper role as an objective forum for the resolution of legal disputes.”

“Courts are—and should be—expected to decide cases as determined by law and precedent, not by poll results or popular preference,” the Chief Justice told hundreds of lawyers and judges gathered for the annual meetings of the Judicial Council, the State Bar, and the California Judges Association.

The state's top jurist noted that there have been several national efforts to sway judicial decision-making, from the introduction of bills to strip courts of jurisdiction, to calls for removal from office of the authors of judicial opinions reaching results which some find objectionable. “Those who disagree with decisions at times criticize the results in terms of political considerations, rather than on the basis of legal analysis,” he said.

“Whether as judges or lawyers, or simply as members of the public, we all have a vital interest in preserving this fundamental principle of governance—and we all have an obligation to expend our efforts to do so,” Chief Justice George told the audience.

## **PUBLIC RATES THE COURTS**

Turning to the Judicial Council's new survey on court attitudes toward the courts, the Chief Justice commented, “Members of the public

(over)

generally believe the courts are performing at a high level—but strong concerns were expressed about the influence of politics on court decisions, as well as the difficulty in understanding the proceedings, and a common reluctance and uneasiness about getting involved with the courts at all.”

The survey will help guide the Judicial Council and the entire judicial system to increase public knowledge and trust in the courts, and to create new programs and services to improve the ability of the courts to serve the public, he said.

### **MORE JUDGES, NEW COURTHOUSES NEEDED TO SERVE THE PUBLIC**

In his annual remarks, Chief Justice George also focused on two bills pending in the state Legislature that address urgent needs in the California courts.

Senate Bill 56, by Senators Joe Dunn and Dick Ackerman, would create 150 critically needed judgeships—50 in each of the next three years. Since 1980, the total number of judges has grown by about 20 percent, while the total state population has increased more than 50 percent.

“Having too few judges delays civil cases, creates pressure to plea bargain in criminal cases, discourages the business community from using the public court system...and causes difficulties and delay in family law matters,” Chief Justice George noted. The measure has passed the Senate but has not yet passed the Assembly.

Senate Bill 395, by Senator Martha Escutia, would provide a bond for the construction and renovation of state courthouses, many of which are in a state of significant disrepair.

“Too many facilities are deficient under earthquake standards, have inadequate technological capabilities, do not provide security for judges, court employees, jurors, litigants, and lawyers, and simply cannot meet the demands for space and services,” the Chief Justice declared. “The people of California deserve courthouses that meet their needs. This measure will make that a reality.”

### **COURTS REACH OUT TO THE PUBLIC**

California’s Chief Justice also described a number of recent accomplishments designed to improve public access to the courts, increase the public’s knowledge about the courts, and streamline court operations. They include the following:

- New criminal jury instructions were adopted last month by the Judicial Council for use by California judges starting in January 2006. The instructions, which accurately

describe the law in clear and modern language, result from an eight-year project led by Court of Appeal Justice Carol Corrigan.

- The Judicial Council is working to improve the courts' handling of domestic violence matters and is studying the Attorney General's report on this subject. Progress also is being made to improve juvenile dependency courts.
- Trial courts have launched new educational and outreach programs, including 34 "youth" or "peer" courts. In these forums, youth volunteers act as prosecutors, public defenders, and jurors in real cases involving their peers.
- The California Supreme Court and the state Courts of Appeal continue to hold court oral arguments in settings other than their usual courtrooms, giving local students and the public an opportunity to see the courts in action. These sessions are planned in coordination with local educators, attorneys, and judges.
- A new "Courts in Class" educational program to team up educators and the courts to teach students about American Democracy has been launched using the latest Web technology.
- Recently adopted legislation created a new statewide uniform civil assessment program. This measure ties in with recent efforts to encourage more uniformity across the state where appropriate, and is consistent with recent streamlining of the courts' collection efforts.

*The Chief Justice's "State of the Judiciary" Address is available on the California Courts Web site at [www.courtinfo.ca.gov](http://www.courtinfo.ca.gov).*

#